THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.23787 of 2006

Dated:22.01.2007

Between:

Kelika Shankaraiah and others.

…Petitioners

and

The Govt.of A.P., and others.

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.23787 of 2006

ORDER:

The petitioners are residents of Parkal Town. They are owners of houses with different house numbers, which are situated abutting the Main Road of the said Town. On 07.11.2006, when the respondents allegedly conducted survey and measured the area for the purpose of widening the road, apprehending that they might face forcible demolition, the present writ petition is filed seeking appropriate directions to the respondents.

At the stage of admission itself, second respondent filed counter affidavit. *Inter alia* it is stated that the petitioners encroached upon the road margin, and therefore, the Mandal Revenue Officer (MRO), Parkal Mandal – fifth respondent herein; issued notice under Section 7 of A.P. Land Encroachment Act, 1908 (the Act, for brevity), to the petitioners on 09.11.2006. It is also alleged that the petitioners received the same on 10.11.2006, and the enquiry before the MRO is pending.

Learned Counsel for the petitioners does not dispute receipt of notice under Section 7 of the Act. He also submits that the petitioners have submitted explanations. Therefore, the MRO may consider the explanations submitted by the petitioners, and pass appropriate orders as to whether the petitioners' encroachment of the road margin is objectionable or not. Till such orders are passed, the petitioners

cannot be evicted forcibly.

The writ petition, with the above observations and directions, is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

22.01.2007

Note: Issue C.C by 24.01.2007.

B/o.

vs